

**CITY OF CENTRAL  
CITY COUNCIL MEETING  
October 15, 2013**

**CALL TO ORDER**

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:00 p.m., in City Hall on October 15, 2013.

**ROLL CALL**

Present: Mayor Engels  
Alderman Voorhies  
Alderman Gaines  
Alderman Heider  
Alderman Spain

Absent: None

Staff Present: Manager Lanning  
City Clerk Bechtel  
Attorney McAskin  
Finance Director Flowers  
Police Chief Terry Krelle  
Fire Chief Allen  
Utilities Superintendent Griffith  
Streets/Facilities Superintendent Braccio

**ADDITIONS AND/OR AMENDMENTS TO THE AGENDA**

The agenda was approved as presented.

**CONFLICTS OF INTEREST**

No Council Member disclosed a conflict regarding any item on the agenda.

**CONSENT AGENDA**

Alderman Gaines moved to approve the consent agenda containing the regular bill lists for October 3 and 10, 2013; and the City Council minutes for the regular meeting on October 1, and the special meeting on October 3, 2013. Alderman Spain seconded, and without discussion, the motion carried unanimously.

**PUBLIC FORUM/AUDIENCE PARTICIPATION**

No one requested time to address the Council.

**NEW BUSINESS**

Presentation of 2014 Proposed Budget

Finance Director Flowers gave the background as follows: In accordance with C.R.S. § 29-1-105, the budget officer for the City is required to submit the proposed budget for the following year to the City Council by October 15<sup>th</sup>. Presentation of the 2014 Proposed Budget does not mean that the budget has been adopted or that revisions cannot or will not be made prior to actual adoption. By

formally presenting the 2014 Proposed Budget to Council the document becomes available for inspection by the public. Following this meeting a "Notice of Budget" will be published in accordance with C.R.S. § 29-1-106. The Notice of Budget must state that the budget is available for inspection by the public at City Hall, give the date and time of the budget hearing, and state that any interested elector may file objections any time prior to its adoption.

As explained in previous discussions with Council during the budget work sessions, there will be a first reading and a second reading with a public hearing of the budget ordinance. It is expected that the 2014 Budget Ordinance will have its first reading on November 5, 2013. The public hearing will be held on November 19, 2013. Revisions can be made to the Proposed Budget at any time prior to final adoption on November 19, 2013.

All narratives and the Budget Message will be included for the first reading on November 5, 2013. Please see Page 1, Consolidated Fund Statement for the total revenues and expenditures proposed for all funds in 2014. Some highlights of the 2014 Budget are:

- A 2% cost of living adjustment and a possible 3% merit increase are reflected for all salaries and wages.
- Council has funded capital purchases out of the General Fund as follows:
  - Accounting software \$50,000
  - Lease purchase of police vehicle-3 yrs. approx. \$25,000 per year
  - Lease purchase of extrication, stabilization and bunker equipment for Fire Dept-3 yrs. Approx. \$40,000 per year
  - Lease purchase of snow plow-approx. down payment of \$40,000 and 3 yrs. approx. \$45,000 per year
- Historic Preservation Fund reflects a transfer of \$120,000 to the Water Fund for infrastructure and capital improvements as well as funds for the repair of the Nevada Street rock wall, marketing and events, the painting of the Fire Station and replacement of garage door.
- Conservation Trust Fund-entire fund balance has been reserved for a possible GOCO grant match for the Chase Gulch Reservoir Trail System
- The Water Fund reflects no changes in rate structures for commercial or residential water users. Full meter payback has been reflected for commercial users and ½ of meter payback for residential users.

Alderman Gaines asked if there will be additional work sessions. Finance Director Flowers explained that the budget can change up to final adoption and additional work sessions are possible if requested.

Alderman Heider asked if the public can comment at 1<sup>st</sup> reading. Mayor Engels stated that the public is welcome to comment in the first Public Forum.

Mayor Engels thanked Finance Director Flowers for all her work to bring the budget to completion

Alderman Voorhies moved to accept the 2014 Proposed Budget with 1<sup>st</sup> reading for the adoption of the 2014 Budget on November 5, 2013. Alderman Spain seconded, and without discussion, the motion carried unanimously.

Ordinance No. 13-15: *An ordinance of the City Council of the City of Central, Colorado repealing Article XIII of Chapter 16 of the Municipal Code concerning Flood damage prevention regulations.*

Attorney McAskin explained that staff is presenting for review and recommendation to the City Council an ordinance (Ordinance 13-15) repealing Article XIII of Chapter 16 of the Municipal Code and adopting a new Article VI of Chapter 18 of the Code concerning Flood Damage Prevention Regulations. The new Article would update the Code to be consistent with National Flood Insurance Program (NFIP) requirements and Colorado Water Conservation Board (CWCB) Rules for Regulatory Floodplains in Colorado. The proposed regulations were reviewed with City Council at the July 2, 2013 work session.

The CWCB adopted the updated Rules effective January 14, 2011. A three-year transition period to January 14, 2014 was provided for all local communities participating in the NFIP to adopt or amend their floodplain regulations to be consistent with the updated Rules and NFIP requirements. The City's participation in the NFIP enables residents to purchase federally-backed flood insurance and makes properties eligible for federal disaster assistance caused by flooding. If the City does not adopt updated regulations by the January 14, 2014 deadline, it is possible the City would be suspended from the NFIP and/or a surcharge placed on flood insurance policies for residents. The City received a notice regarding the January 14, 2014 deadline on September 25, 2012.

The main changes in the regulations (to be incorporated in the new Article VI of Chapter 18) include the following:

- New definitions are added and others updated to be consistent with current NFIP terminology and the CWCB Rules.
- Notice and record keeping requirements are added for variances or appeals.
- Floodplain development requirements were updated so that lowest floor elevation of a commercial buildings and residential structures is at least one-foot (1') above the base flood elevation, rather than to the level of the base flood elevation.
- Regulations for Critical Facilities are adopted by reference to Rule 6 of the CWCB Rules. Critical Facilities include essential services facilities (e.g. police and fire facilities); hazardous material facilities; at-risk population facilities (e.g. schools and hospitals); and vital government service facilities (e.g. courts and public works). In general, Critical Facilities are required to be located out of the floodplain.

As set forth above, the City is required to adopt updated regulations prior to the January 14, 2014 deadline. There will likely be no negative fiscal impacts associated with the adoption of Ordinance No. 13-15.

Mayor Engels added that the practical implications are that residents will get a reasonable cost effective rate if we are in compliance. Alderman Gaines questioned why we waited to adopt these since 2012. Attorney McAskin explained that the City has had some staff changes that impact this moving forward. Alderman Gaines also asked about the change to move this to the building chapter from the zoning chapter. Attorney McAskin reviewed the work session conversation that included staff preference since this review will generally happen in conjunction with a building permit.

Alderman Spain moved to adopt Ordinance No. 13-15: An ordinance of the City Council of the City

of Central, Colorado repealing Article XIII of Chapter 16 of the Municipal Code concerning Flood damage prevention regulations and set the Public Hearing for November 5, 2013 at 7:00 p.m.. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

Resolution No.13-22: *A resolution of the City Council of the City of Central, Colorado delegating certain limited authority of the Central City Retail Marijuana Store licensing authority to the City Manager.*

City Clerk Bechtel explained that as stated in Section 6-9-60(b) of the Municipal Code which authorizes the City Council to delegate its authority set forth in the Retail Marijuana Store Regulations to the City Manager by resolution which will allow our 2 existing Medical Marijuana Centers to apply for Retail Sales in a simplified process. This will not affect any applications that would be new to the city. This will reduce some cost for staff time.

Alderman Gaines moved to approve Resolution No.13-22: A resolution of the City Council of the City of Central, Colorado delegating certain limited authority of the Central City Retail Marijuana Store licensing authority to the City Manager. Alderman Heider seconded, and without discussion, the motion carried unanimously.

## **STAFF REPORTS**

Manager Lanning reported that Gregory is complete for 2-way traffic and thanked the crew for their efforts to keep the cost down. The cost breakdown will be available for Council in the morning.

Alderman Gaines asked for an update on the Quartz Hill Project. Manager Lanning stated that bids are due 10/17 with the award by mid-November. This will be a 100 day project from the date of award with both lanes of Nevada open.

## **COUNCIL COMMENTS**

Alderman Voorhies thanked staff for the great job getting Gregory Street widened. Alderman Heider and Alderman Gaines added their appreciation to the water and street crews as well.

## **PUBLIC FORUM/AUDIENCE PARTICIPATION**

Shannon Keil, Reserve Casino Hotel, stated that the bus companies have expressed concern about getting up Gregory during the construction period when it snows since it is so narrow. Mayor Engels noted that there are 38 days remaining on the project. Manager Lanning added that the street crew will be using new products on the streets and will be making every effort to keep them clear.

Ren Goltra, commented that the Main Street Streetscape has the City looking better than it has in a long time and stated that the financial stewardship by the City Manager of the City is excellent. He then asked for Council suggestions on if he should pursue retail or gaming for his vacant buildings. Mayor Engels offered that the recent Council visioning process includes a diverse economic base and that retail is an important component.

Joe Behm, CCBID, thanked the Council for the Gregory Street improvement and gave an update on the Creepy Crawl events.

At 7:34 p.m., Alderman Gaines moved to adjourn into Executive Session as follows:

**EXECUTIVE SESSION** – Pursuant to C.R.S. 24-6-402(4)(b) and (4)(e) to discuss specific legal questions and to instruct negotiators concerning pending water rights cases concerning the City of Central. . Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

The next Council meeting is scheduled for November 5, 2013 at 7:00 p.m.

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Ronald E. Engels, Mayor

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Reba Bechtel, City Clerk